| United States District of Middle District of M       | rict Court  |
|--|---|
| Mr. Ari Bailey Plaintiff brose                       | EU194 I Agilla  |
| TW.TIT DUTING, IT-INFIT PROSE                        | 1   |
| <u> </u>   | Civil No 3:1702106 FILED  |
| )  | SCRANTON  |
| Bruce J. Brandler, et al. Defendants                 | NOV 1 6 2017  |
| G.MichaelThiel.                                      |   |
| Joanne M. Hoffman                                    | PER DEPUTY CLERK  |
| VII.T.OMO  | 20000   |
| P. 0.2 TE 881261361.90                               | 20demus<br>1800088535(b) and (c)(e)   |
| Idential 1000003 1001 1111                           | 400000 <b>3</b> 8 2 <b>0 3</b> (D) 4(14 (C)C) 1   |
| T Turisdiction                                       | 10  |
| 1.) Plaintiff brings this Writ of Mandamus purs      | went to 28 USC \$ 136/ for Injunctive Relief to Combe   |
| Defendants to perform a duty owed to Paint: A        | went to 28 USC\$ 136/ for Injunctive Pelief, to Compel<br>bunsuant to 28 USC\$\$ 535(6) and (c) (2).  |
|  |   |
| TI Venue   | 1 004.00 1001 (1) (6) 1   |
| 6.) The Middle of Pennsylvania is an appropriate     | venue under 2808 \$ 1391 (b) (2) bocause as missions giving rise to the claims occurred in this district.   |
| 2 Substantial amount of the events, acts or or       | missions giving rise to the Claims occurred in this district.   |
| TIT Bations  |   |
| 3 Bruce ) Breadles was et all times relevant at      | nis instant as a Defendant and was acting under the color of  |
| Teseral law Bruce D Brandles is being Combelled as   | an officer or employee of the United States or an agency  |
| thereof to perform a duty owed to Plaintiff p        | msvant to 88U8C 88535(b) and (c)(8)   |
|  |   |
| 4.) G. Michae Thie was atall times relevant to       | his instantation as a Defendant and was acting under the led as an officer or employee of the United States or an agency and to 88 USCSS 535(b) and (c)(2). |
| color of Federal law G. Michael Thiel is being compe | led 88 2n officer or employee of the United States or 2n agency   |
| Thereof To beform aduly owed To Plaintiff pursua     | int 10% USC \$\$ 535(b) and (c)(2).   |
|  |   |
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| 5  | )~  | _<br>  0&r | ากย์ | M.!   | Hoff   | ngn M  | 888  | altin | nes reli | evanto | thisin   | 4201 | St in | 8 <u>S ne</u> | a Defe | indantar<br>er or er<br>it to 28 | nd w       | 88    |
|----|-----|------------|------|-------|--------|--------|------|-------|----------|--------|----------|------|-------|---------------|--------|----------------------------------|------------|-------|
| 2  | - \ | บกจ        | ent  | ne c  | dor of | Federa | 2 8  | Tolon | e M.Ho   | Aman   | is being | Comb | elled | 888           | noffic | er or er                         | ploy       | be of |
| th | e ( | Joit       | ed S | tale  | 80080  | ageno  | Then | of to | perfor   | medi   | y owed   | To P | 8:1   | ff p          | NSUBNU | tto 28                           | <u>usc</u> | 88    |
| 5  | 35  | 5(b)       | 80   | d (e) | (2).   | U      |      |       |          |        |          |      |       | 1             |        |                                  |            |       |

6.) Title 28USC 8 | 36 | provides: "The district courts shall have original jurisdiction of any action in the nature of mandamus to Compelan officer or employee of the United States on an agency thereof to perform a duty owed to plaintiff". 8 1361.

7.) Title 2808C8 535 (b) provides: "Any information, allegation, matter, or complaint witnessed, discovered, or received in a department or agency of the executive branch of the Government relating to violations of Federal Criminal law involving Government officers and employees shall be expeditiously reported to the Allorney General by the head of the department or agency, or the witness, discoverer, o recipient, as appropriate.

- 8) Title 28USC\$ 535 (c)(2) provides: The primary authority of the Postmaster General to investigate postal offices:
- 9.) Specifically Mandamus is proper when: (1) the plaintiff has a clear right to relief: (2) the defendant has a clear duty to act. and (3) there is no other adequate remedy available to plaintiff. Kerr v U.S. Dist. Court for the N. District of Cal. 43608.394, 403(1976).
- 10.) Mandamus is regarded as the proper Writ to control an officer as to the decision of a matter which the law never gave the Defendants respectively, any power to decide. Wilbur v United States, 881US 206, 818 (1930).
- 11.) Specifically from December 2016-to-Tuly 858017 government employee Toe Ordonez
  Surreptitions y engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal Mail to
  Criminal obstruction of correspondence in violation of 1809C\$ 1702: and that and receipt of stolen mail
  in violation of 1808C\$1708 during five (5) separate and distinct occasions or occurrences within which

| Toe Ordonez    | was caught      | on USP. Lewisbu  | ngis D-l digi  | tal 0-1 Clo | se Circuit   | Vintell sea   | pence surveillence<br>Bright recording | e       |
|----------------|-----------------|------------------|----------------|-------------|--------------|---------------|--|---------|
| J. Tien ran    | ge in front of  | de lention cell* | 185#103        | *104 *1C    | 5 106 #      | 107 Area o    | amena recording                        | 1       |
| DVD destroying | Plaintiffs 1    | Outgoing She     | cial legal Mai | 8dd ussed   | to the Feder | 2 Courtin vio | lation of 28US                         | ଟ୍ରେକ୍ସ |
| 535(b) and (   | $(\widehat{S})$ | 700              | U              |             |              | <b>4</b>      |  |         |
|                |                 |                  |                |             |              |               |  |         |
| 12/11          | + 1.            | . ct             | Tama la        |             | 1 20         | la to b       | 2 h 11 C                               |         |

12.) The purpose nature and scope of this Writof Mandamus is to compel Defendants Bruce D. Brandler (f. Michael Thie Toame M. Haffman to perform a duly omed to Plaintiff pursuant to 8808C\$\$ 535(b) and (6)(3) within which gives the Atlorney General and Post Master General Turisdiction to investigate indict prosecute Toe Ordonez a government employee whom engaged in acts or omissions in violations of 1808C\$1708.

1808C\$1708: 2nd 1808C\$371.

13.) Specifically from tebruary 19, 2015-To-Tuly 25, 2017 government employee Daniel Coombe Surreptitionally engaged in acts or omissions that subjected Plaintiffs Outgoing Special Legal Mail to Criminal obstruction of correspondence in violation of 1808C\$ 1708; and Criminal theft and receipt of stolen mail in violation of 1808C\$ 1708; 1808C\$ 371.

14.) The purpose, nature and scape of this Writ of Mandamus is to compel defendants Bruce d. Brandler, G. Michael Thiel, Toanne M. Hoffman respectively to perform a duty owed Plaintiff pursuant to 2800 65 535(b) and (c) (2) within which gives the Allorney General and Post Mader General Junisdiction to investigate, indict prosecule Janiel Coombe a government employee whom intentionally and willfully engaged in acts or omissions in violations of 1808 05 1708. 1808 05 1708. 1808 8371.

15) Specifically, from Tebruary 1920/5-To-Tuly 25,2017 government employee Dirk Norr Sumebiliously engaged in acts or omissions that subjected Haintiff's Outgoing Special Legal Mail to criminal obstruction of Correspondence in violation of 18080\$ 1708, and criminal thef and receipt of stolen mail in violation of 18080\$ 1708, 18080\$ 371.

16.) The purpose nature and scope of this Writ of Mandamus is to compel Defendants Bruce D.
Brandler, G. Michael Thiel Toanne M. Hoffman respectively to perform a duty owed Plaintiff pursuant to
88USC \$\$ 535(b) 2nd (c) (2) within which gives the Attorney General and Post Master General Junisdiction

| To investigate indict prosecute Dink Norr in acts or omissions in violations of 184508 | agovernment employee whom intentionally | and willfull engaged |
|--|---|----------------------|
| in acts or omissions in violations of 18USCS   | 102.1808cs1708:1808cs37/.               | 1707                 |

- 17.) Specifically from February 19.8015-to-December 2016 former government employee Suzannel. Health surreptilions of engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal Mail to criminal obstruction of correspondence in violation of 1800cs 1708, and criminal the fland receipt of stolen mail in violation of 1800cs 1708, 1808cs 371.
- 18.) The purpose, nature, and scope of this Writ of Mandamus is to compel Defendants Bruce D. Brandler, G. Michael Thiel Toanne M. Hoffman respectively to perform a duty owed Plaintiff pursuant to 280838535 (b) and (c) Wilhin which gives the Allonney and PostMast General Turisdiction to investigate indict prosecute Suzanne V. Heath a former government employee who intentionally and willfully engaged in acts or omissions in violations of 1808C\$1702. 1808C\$1708.1808C\$371.
- 19. Specifically, from televary 192015-to-Tuly 25,2017 government employeetiglo surreptitiously engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal Mail to criminal obstruction of Correspondence in violation of 1802C\$1708; and criminal theft and receipt of stolen mail inviolation of 1802C\$1708, 1802C\$1708, 1802C\$1708.
- 20.) The purpose nature and scope of this Writ of Mandamus is to combel defendants Bruce D. Brandler G. Michael Thiel To anne M. Hoffman respectively to perform a duty owed Plaint: If pursuant to 28 USCS 5351 and C. 22 within which gives the Allorney and PostMaster General Turisdiction to investigate indict prosecute Suzanne V. Heath: Figlo government employees whom intentionally and willfully engaged in action omissions in violations of 1808CS 1708.1808CS 1708.1808CS 371.
- 21.) Specifically from January 2016-To-Tuly 252017 government employee M. Wagner surreptitionsly engaged in 2cts or omissions that subjected Maintiffs Outgoing Special Legal Mail to criminal obstruction of correspondence in violation of 180281708. and criminal that and receipt of stolen mail in violation of 18028 1708. 18088371.

| 28.) The purpose nature and scope of this Writ of Mandamus is to compel Defendants Bruce D. Brandler G. |
|---|
| Michael Thiel, Toanne M. Hoffman respectively to perform a duty owed Plaintiff bunsuant to 28080835355  |
| and CVE) within which gives The Allegger Legers and Post Master General Tracket in the invotingto       |
| indiat prosecute M. Wagner a government embloyee whom intentionally and willfully engaged in acts or    |
| omissions in violations of 1808031708.18000\$1702.18000\$371.   |

23. Specifically from February 19.2015-to-Tuly 25 2017 government employee Tamestosnot Surreptitiously engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal to criminal obstruction of correspondence in violation of 1808\$1708. and criminal theft and receipt of stolen mail in violation 1808\$1708. 1808\$31.

24. The purpose nature and scope of this Writer Mandamus is to compel Defendants Bruce D. Brandler G.

Michael Thiel Teanne M. Hoffman respectively to perform a duty owed Plaintiff pursuant to 28USC \$535

(b) and (c) Willhim which gives the Altorney General and Post Master General Tunisdiction to investigate, indict,

prosecute Tames to snot a government employee whom intentionally and willfully engaged in acts or omissions in

violations of 18USC \$1708.18USC \$1708, 18USC \$371.

engaged in ects or omissions that subjected Plaintiff's Outgoing Special Legal Mail to criminal obstruction of correspondence in violation of 1808C\$ 1702. and criminal theft and receipt of stolen mail in violation 1808C\$ 1708.

26.) The purpose, nature, and scope of this Writ of Mandamus is to compo Defendants Bruce D. Brandler, G. Michael.

Thiel Toanne M. Hoffman respectively to perform a duty owed Plaintiff pursuant to 28USC\$5356) and (c) (2) within which gives the Attorney General and Post Master General Turisdiction, to investigate, indict, prosecute Brett Wert a government employee whom intentionally and willfully engaged in acts on omissions in violations of 18USC\$1708. 18USC\$1708

27.) Specifically from tobrusny 19,2015-to-Tuly 25,8017 government employee T. Hartman surreptitionsly engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal Mail to criminal obstruction of correspondence

| in violation of 1808C81702; and Giminal theft and receipt of stolen mail in violation of 1808C81708; 1808C8371.   |
|---|
| 28.) The purpose, nature and scope of this Writer Mandamus is competed and a Bruse D. Brandle G. Michael Thiel, Toanne M. Hoffman respectively to perform a duty owed Plaintiff pursuant to 2808CSS 535(b) and (c) (2) within which gives the Attorney General Turisdiction, to investigate, indict, prosecute T. Hartman a government employee whom intentionally and willfully engaged in acts or omissions in violations of 1808CS1708.  1808CS1708. 1808CS371.  |
| 29.) Showifically from February 19, 2015-10-July 85.2017 government employee Timothy Crawford Surreptitionsly engaged in acts on omissions that subjected Hzintiff's Outgoing Special Legal Mail to criminal obstruction of correspondence in violation of 1808C\$1708. and criminal that and receipt of stolenmail in violation of 1808C\$371.   |
| 30.) The purpose nature and scope of this Writ of Mandamus is to compel Defendants Bruce D. Brandler, G. Michael Thie Toanne M. Horfman respectively to perform a duty owned to Maintiff pursuant 2805C \$\$ 535(b) and (C. V.E.) within which gives the Allorney General and Post Mader General Turisdiction to investigate, indict, prosecute Timothy Crawford a government employee whom intentionally and willfully engaged in acts or omissions in Violations of 1808C\$ 1708: 1808C\$ 1708.1808C\$ 871. |
| 31.) Specifically, from February 192015-to-Tuly 85, 2017 government employee A. Hartman surreptitiously engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal Mail to criminal obstruction of correspondence in violation of 1808C\$ 1708, 1808C\$ 311.  |
| 38. The purpose, nature, and scope of this Writ of Mandamus is to compet Defendants Bruce D. Brandler, G. Michael This Toanne M. Hoffman respectively, to perform a duty owed to Hainliff pursuant to 2808cs \$5356) and GX2) within which gives the Altorney General and Rost Master General, Jurisdiction to investigate, indict, prosecute A. Hartman a government employee whom intentionally and willfully engaged in acts or omissions in violation of 1808cs 1708.  1808CS 31. 1808CS 1708.            |
|   |

| 3  | 3. Specifica       | ally from Tebruar<br>nat subjected the<br>and criminal | ~19.2015-to    | 70825801          | government en  | 1 996 S       | urreblilious lu    | engeged in 2015 | <u>S</u> |
|----|--------------------|--|----------------|-------------------|----------------|---------------|--------------------|-----------------|----------|
| 90 | T snoissimo        | rat subjected the                                      | aintiffs Outgo | oing Opecial Legy | Mailto crimins | operuction of | Corresponden       | ce in violation |          |
| of | 8071 <b>8</b> 38UR | and Crimina  | hef and recei  | blof Slolen mai   | in violation   | 3u8cs 1708.19 | 308c <b>s</b> 37/. |                 |          |
|    |                    |  |                |                   |                | •             |                    |                 |          |

- 34.) The purpose, nature, and scope of this Writ of Mandamus is to compet Defendants Bruce D. Brandler, G. Michael Thiel, Joanne M. Hoffman respectively, to perform a duty owed to Plaintiff pursuant to 28086 \$\$ 535(b) and (CIS) within which gives the Allorney General and PostMaster General, Jurisdiction, to investigate, indict, prosecute J. Page a government employee whom intentionally and will fully engaged in acts or omissions in violations of 18080\$1708, 18080\$371, 18080\$1708.
- 35.) Specifically from February 192015-to-Tuly 252017 government employee.). Waughen surreptitiously engaged in acts or omissions that subjected Plaintiff's Outgoing Special Least Ma: To aiminal obstruction of correspondence in violation of 1808C\$ 1708. 1808C\$ 371; 1808C\$ 535CD2)
- 36.) The purpose nature and scape of this Writ of Mandamus is to compet Defendants Bruce D. Brandle, G. Michael Thiel, To anno M. Hoffman respectively to perform a duty owed to Plaintiff pursuant to 28 USC \$ 535(b) and (c)(2) within which gives the Allorney General and Post Master General, Turisdiction, to investigate indiction of 18 USC \$ 1708. 18 USC \$ 1708. 18 USC \$ 1708. 18 USC \$ 1708.
- 31.) Specifically from February 19.2015-to-Tuly 25.2017 government employee Janiel knapp surreptitiously engaged in acts or omissions that subjected Plaintiff's Outgoing Special Legal Mail to criminal obstruction of correspondence in violation of 1811508/108; and criminal theft and receipt of stolen mail in violation of 180008/108. 180008371.
- 38.) The purpose nature and scope of this Writ of Mandamus is to compet Defendants Bruce J. Brander G. Michael This.

  To Bring M. Haffman respectively to parform a duty oried to Plaintiff pursuant to 28USC \$5356) and (CX2) within which gives the Allorney General and Post Marter General Turisdiction, to investigate indict prosecute Daniel Frago surreptitionally engaged intentionally and willfully in acts on omissions in violation of 18USC \$1708; 18USC \$371; 18USC \$1708.
- 39.) Specifically from February 19.2015-to-Tuly 25.8017 government employee Dallas Beachel surreptitions languaged in acts or amissions that subjected Plaintiff & Outgoing Special Legal Mait to criminal obstruction of correspondence in

| violation of 18080 \$ 1702; and criminal that and receipt of atolen mail in violation of 18080 8 1708. 180808 371.   |
|--|
| 10. The purpose, nature, and scope of this Writ of Mandamus is to combol Defendants Bruce D. Brandler, G. Michael  |
| Thie Toanne MHoffman respectively, to perform a duty owed to Plaintiff pursuant to 28/18C\$\$ 535(b) and (c)(2) within which gives the Allorney General and Post Master General, Turisdiction, to investigate, indict, prosecute Dahas Beachel agovernment employee who intentionally and will fully engaged in acts or omissions in violations of 1808C\$ 1708.  1808C\$ 371: 1808C\$ 1708.   |
| Beachel agovernment employee who intentionally and willfully engaged in acts or omissions in violations of 1808C\$1108.  |
| 41) Specifically from February 19, 2015-To-Tuly 25,2017 government employee S. Buebendort syrrebiliously   |
| 41) Specifically from February 19, 2015-To-Tuly 25,2017 government employee S. Buebendort surreptitionally engaged in 2018 or omissions that subjected Plaintiff's Outgoing Special Legal Mail to Griminal obstruction of correspondence in violation of 1808C81702; and criminal theft and receipt of stolen mail in violation of 1808C81702  |
| \BU8C§371.   |
| 42) The purpose nature and scope of this Writ of Mandamus is to compos Defendants Bruce D. Brandler. G. Michael Thiel, Joanne M. Hoffman respectively, to perform a duty owed to Plaintiff pursuant to 28000   |
| 335351h) and (C)(2) within which gives the Attorney General and Post Master General unisdiction to   |
| investigate, indict, prosecute 8. Buebendorf a government employee whom intentionally and willfully engaged in acts or omissions in violations of 1808C\$1708; 1808C\$371; 1808C\$1708.  |
| 43.) Specifically, Toe Ordonez, Daniel Coombe Dirk Norr, Suzanne V. Heath, Figlo, M. Wagner, Tametosnot,   |
| S. Buebendont respectively, government employee whom surreptitiously engaged in acts or omissions that   |
| Brell West, Thantman, Timothy Crawford A. Hantman, T. Page D. Waughen Daniel Knapp, Dallas Beachel, S. Buebendont respectively, government employed whom surreptitiously engaged in acts or omissions that Subjected Haintiff's Outgoing Special Legal Mail containing administrative remedies (i.e. BP-10's & BP- |
| 3/0/en mail in violation of 1808C81108:1808C8311.  |
| 44 Libra Light Tan Lladi and 112 'all combo click NAMO Durgana VIIBAILA tala II Naman Tomostama  |

Brett Wert, T. Hartman, Timothy Grawford, A. Hartman, T. Page D. Waughen, Daniel Knapp, Dallas Beachel, S.

Bubbendort respectively, government employees, who surreptitiously engaged in acts or omissions that

Subjected Hainliff's Outgoing General correspondence to his Mother, and Incoming General Correspondence

from his Mother to criminal obstruction of correspondence in 1808C81708; and Criminal theft and receipt of stolen mail in violation of 1808C81708; 1808C8371.

45.) The purpose, nature, and scope of this Writof Mandamus is to combel Defendants Bruce Disandler, E.Michael Thiel Toanne M. Hoffman respectively to perform adulty owed to Haintiff pursuant to 28 USC \$8535(b) and (c) (C) within which gives the Attorney General and Post Master General Turisdiction, to investigate, indict, prosecute Toe Ordonez, Daniel Coombe, Dirk Norr, Suzanne V. Heath, Figlo, M. Wagner, Tames Fosnot Brett West, That man, Timothy Crawford, A. Hartman, T. Page, D. Waughen, Daniel Knap, Dallas Beachel, S. Buebendorf respectively, government employees who intentionally and willfully engaged in acts or omissions in violations of 18000\$1708; 18000\$371; 18000\$1008.

46) Defendants Bruce D. Brandler, G. Michael Thiel, Joanne M. Hoffman respectively, current and ongoing continue to breach, a mandatory, mandatory-nondiscretionary duty, prescribed by 88 USE 535(6) and (c)(2), That involves No element of judgment or choice. Wilbur, 28 USE 218.

47.) The Writ of Mandamus relief Plaint; if seeks, is enforceable pursuant to 28 USC \$5351) and (c) (2) prescribes Defendants respectively, amandatory, nondiscretionary duty. Wilbur & 31 US at 210. Friends of the Earth Inc. v Laidlaw Envil. Serve. (TOC), Inc. 528 US 167, 189-190 (2000).

48.) Congress has enacted a statute, so plainly prescribed as to be free from doubt, and equivalent to a positive command, this unambiguous text of 8808885356) and (c)(8) is the policy, that specifically prescribes a course of action for Defendants to follow because the Defendants have NO rightful option, but to adhere to to the directive. Wilbur, 28108 at 218. Ferr, 48608 at 403 triends of the carth Inc., 58808 at 189-190.

49.) Pursuant to 88080885356) and (CXE) Plaintiff is a witness to these violations of Federal Criminal Law.

50.) Mandamus is the proper Writ to control Defendants respectively, in their decisions in a matter the law Never gave them and power to decide for themselves. Friends of the starth, Inc., 528US at 180-181. Schlesinger v Peservists Comm. to Stop the War, 418US 208, 221(1974).

## Certificate of Service

Wherefore Plaintiff Ari Bailey certify that on November 9, 201/ I caused the foregoing Writ of Mandamus pursuant to 28 USC \$ 1361 to be served on the United States district Count Middle district of Pennsylvania via find class postage mail pursuant to Fed. P. App. P. 4(C)().



November 9,8017
Date